

Notice of Allowability

Application No.

10/656,648

Examiner

Ramsey Zacharia

Applicant(s)

OKAMIYA ET AL.

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 22 June 2006.
2. ☒ The allowed claim(s) is/are 1,2,4-7,22,23,25,26,28-30,32,33,35-38 and 40.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20060831.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark A. Farley on 31 August 2006.

The application has been amended as follows:

in claim 1, the phrase --by weight-- has been added after "0.6%" on line 3,
in claim 22, the phrase --by weight-- has been added after "0.6%" on line 3,
in claim 23, the phrase --by weight-- has been added after "0.6%" on line 5,
in claim 30, the phrase --by weight-- has been added after "0.6%" on line 5,
in claim 37, the phrase --by weight-- has been added after "0.6%" on line 3, and
claims 8-21, 27, and 34 have been canceled.

2. The following is an examiner's statement of reasons for allowance.

The invention as claimed is directed to a repelling agent and bearing component having a surface coated with a film formed from the repelling agent. The repelling agent comprises about 100-400 ppm of a UV coloring agent and about 0.1-0.6 wt% of a fluorine-based polymer in a solvent.

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Miura et al. represent the closest prior art. Upon reconsideration and in view of the applicants' arguments and amendments to the claims, the examiner agrees that Miura et al. does not teach or fairly suggest the claimed repelling agent or film formed from said repelling agent on a bearing component. By positively reciting the amount of UV coloring agent and fluorine-based polymer in the agent, the claimed repelling agent is required to have a specific ratio of UV coloring agent to fluorine-based polymer. Although Miura et al. disclose a repelling agent comprising a UV coloring agent and a fluorine-based polymer, there is nothing in the reference that would lead one skilled in the art to select an agent such that it comprises the claimed amount of UV coloring agent and fluorine-based polymer. While the concentration of a component in a solution may be unrelated to the concentration of the component in a coating formed from the solution as argued in the Office action mailed 21 December 2005, because the concentrations of both the UV coloring agent and the fluorine-based polymer are recited, the ratio of these components in the resulting coating is directly related to the ratio of the components in the solution.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Zacharia whose telephone number is (571) 272-1518. The examiner can normally be reached on Monday through Friday from 9 to 5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney, can be reached at (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ramsey Zacharia
Primary Examiner
Tech Center 1700